IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	:	
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Serial No.: **10/656,846**	:	Examiner: **WATT, Chris A.**
Filed: **September 4, 2003**	:	
For: **Browser User Interface**		

RESPONSE UNDER 37 C.F.R. §1.116

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Commissioner for Patents
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SIR:

      In response to the Office Action dated October 19, 2007, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

RESPONSE
Examiner: WATT, Chris A.

Serial No. 10/656,846
Atty. Docket No.: 085804.020301

AMENDMENTS TO THE CLAIMS

Please amend the claims as follows:

1. - 41.(Canceled)

42. (Previously Presented) A dynamic content user interface, comprising:

a dynamic layer, the dynamic layer being generated for display to a user by a browser in communication with a server, and further comprising;

a visible item display area and a visible summary display area, the summary display area comprising a plurality of entries, the content displayed in the item display area being associated with a selected one of the plurality of entries in the summary display area, the item display area being updated to reflect, upon selection by said user, a newly selected one of the plurality of entries in the summary display area without retrieving additional information from said server.

43. (Previously Presented) The dynamic content user interface of claim 42, a new one of the plurality of entries in the summary display area being automatically selected after a predetermined period of time.

44. (Previously Presented) The dynamic content user interface of claim 43, the new one of the plurality of entries being selected at random from the set of entries.

45. (Previously Presented) The dynamic content user interface of claim 43, the dynamic content user interface iterating through the entries in the summary display area.

46. (Previously Presented) The dynamic content user interface of claim 42, the dynamic layer further comprising a media display area.

47. (Previously Presented) The dynamic content user interface of claim 46, the media display area further comprising at least one control capable of controlling the playing of media.

48. (Previously Presented) The dynamic content user interface of claim 47, the at least one control comprising a control for pausing playback.

49. (Previously Presented) The dynamic content user interface of claim 47, the at least one control comprising a control for initiating playback.

50. (Previously Presented) The dynamic content user interface of claim 47, the at least one control comprising a control for stopping playback.

51. (Previously Presented) The dynamic content user interface of claim 47, the at least one control comprising a control for rewinding playback.

52. (Previously Presented) The dynamic content user interface of claim 47, the at least one control comprising a control for fast forwarding playback.

53. (Previously Presented) The dynamic content user interface of claim 47, the at least one control comprising a control for muting the audio portion of media playback.

54. (Previously Presented) The dynamic content user interface of claim 47, the at least one control comprising controls for initiating, pausing, and stopping playback.

55. (Previously Presented) The dynamic content user interface of claim 47, playback being automatically initiated upon selection of a newly selected entry.

56. (Previously Presented) The dynamic content user interface of claim 55, the playback being automatically initiated after a delay.

57. (Previously Presented) The dynamic content user interface of claim 46, the media display area comprising a plug-in capable of presenting video.

58. (Previously Presented) The dynamic content user interface of claim 57, the aspect ratio of the video being automatically adjusted without requiring a reload of the video.

59. (Previously Presented) The dynamic content user interface of claim 57, the video being a streamed video.

60. (Previously Presented) The dynamic content user interface of claim 42, further comprising a visual cue, the visual cue being associated with the currently selected entry in the plurality of entries.

61. (Previously Presented) The dynamic content user interface of claim 60, the visual cue comprising a graphical indicia displayed next to the currently selected entry in the plurality of entries.

62. (Previously Presented) A method for displaying dynamic content, comprising:

transmitting a browser interpretable document to a computing device operable by a user;

enabling communication between said document and a server; and

said browser interpretable document further comprises instructions for:

> displaying a dynamic layer to the user, the dynamic layer comprising an item display area and a summary display area, the summary display area comprising a plurality of entries, and each of the plurality of entries comprising a user selectable region;
>
> monitoring user interactions with the dynamic layer to determine when a user interacts with a user selectable region; and,
>
> displaying in the item display area information associated with the user selectable region with which the user interacted, the displaying being done without retrieving additional information from said server.

63. (Previously Presented) The method of claim 62, further comprising instructions for causing a new one of the plurality of entries in the summary display area to be automatically selected after a predetermined period of time.

64. (Previously Presented) The method of claim 63, further comprising selecting the new one of the plurality of entries at random from the set of entries.

65. (Previously Presented) The method of claim 63, further comprising facilitating the selection of a new entry by iterating through the entries in the summary display area.

66. (Previously Presented) The method of claim 62, further comprising instructions for implementing a media display area within the dynamic layer.

67. (Previously Presented) The method of claim 66, the media display area further comprising at least one control capable of controlling the playing of media.

68. (Previously Presented) The method of claim 67, the at least one control comprising a control for pausing playback.

69. (Previously Presented) The method of claim 67, the at least one control comprising a control for initiating playback.

70. (Previously Presented) The method of claim 67, the at least one control comprising a control for stopping playback.

71. (Previously Presented) The method of claim 67, the at least one control comprising a control for rewinding playback.

72. (Previously Presented) The method of claim 67, the at least one control comprising a control for fast forwarding playback.

73. (Previously Presented) The method of claim 67, the at least one control comprising a control for muting the audio portion of media playback.

74. (Previously Presented) The method of claim 67, the at least one control comprising controls for initiating, pausing, and stopping playback.

75. (Previously Presented) The method of claim 67, the instructions further comprising instruction for automatically initiating playback upon selection of a newly selected entry.

76. (Previously Presented) The method of claim 75, the playback being automatically initiated after a delay.

77. (Previously Presented) The method of claim 66, the media display area comprising a plug-in capable of presenting video.

78. (Previously Presented) The method of claim 77, the instructions further comprising instructions for adjusting the aspect ratio of the video without requiring a reload of the video.

79. (Previously Presented) The method of claim 77, the video comprising a streamed video.

80. (Previously Presented) The method of claim 62, the instructions further comprising instructions for presenting a visual cue in the dynamic layer which indicates the currently selected entry in the plurality of entries.

81. (Previously Presented) The method of claim 80, the visual cue comprising a graphical indicia displayed next to the currently selected entry in the plurality of entries.

REMARKS/ARGUMENTS

Applicants acknowledge receipt of the above-identified Office Action and respectfully traverse the Office Action in its entirety. Claims 1-41 were previously canceled, and claims 42-81 were previously presented. Applicants respectfully request that examination be continued in the instant application, and it is requested that, in the event the appropriate fee is not paid at the time the instant Response is filed, the Commissioner charge the appropriate fee to Deposit Account 50-1561, thereby making the request proper.

Rejections under 35 U.S.C. §102

Claims 42-43, 45-46, 60-63, 65-66, and 80-81 are rejected under 35 U.S.C. §102(b) as being anticipated by Nawaz, U.S. Patent No. 5,959,621. Applicants respectfully traverse. It should be noted that the arguments presented herein are based on the interpretation of the Examiner's arguments in view of U.S. Patent No. 5,959,621, and not 6,272,493 as recited on page 2 of the Office Action. Applicants respectfully reserve the right to withdraw and/or amend the arguments made herein in the event Applicants have misunderstood the basis for the Examiner's arguments.

As noted in the previous Response, independent claims 42 and 62 recite, *inter alia*, a dynamic layer comprising an item display area and a summary display area, the dynamic layer capable of dynamically updating the information displayed in the item display area based on a selected summary in the summary display area, the item display area being updated without retrieving additional information from a server. The fact that the item display area is updated without retrieving additional information from a server provides a more enjoyable browsing experience because, at least in part, the user is not frustrated by having to wait for data to be obtained from a server.

Unlike Applicants' claims, Nawaz discloses a scrolling ticker (see Fig. 3, item 140, and column 8, lines 14-19 and lines 33-53) of data items (see data items 150, 152, 154, and 156 of Fig. 3, and the description therof at column 8, lines 16-21, and column 9, lines 25-28), wherein data items presented in the ticker can comprise a hyperlink through which the user can obtain additional information about the item (see column 9, lines 20-24). Nawaz states that "…the data items displayed may include hyperlinks for retrieving and displaying documents related to the data item. For example, selecting data item 152 may provide more information about the New York vs. Baltimore game." (column 9, lines 20-24, emphasis added). That is, if the user wishes

to obtain information about the New York vs. Baltimore game, the user must wait for the system to retrieve the information from a server before the information can be displayed.

The Office Action asserts that Fig. 19, item 340 discloses that the documents are periodically retrieved, and that therefore updates from the server only occur at certain times. Applicants respectfully request reconsideration of the Examiner's reliance on Fig. 19, as Fig. 19 is not described in the specification, nor is there a full description of Fig. 10, upon which Fig. 19 is purportedly based. It is respectfully submitted that the figure alone, with no detailed description, does not in any way provide sufficient disclosure to teach or suggest the claimed features against which the reference is applied. However, in an effort to expedite examination of the instant application, Applicants will concede that Nawaz discloses periodically refreshing the contents of the ticker from a server. Even when read in this light, as described above, Nawaz does <u>not</u> disclose updating an item display area to reflect a selected summary in a summary display area, the item display area being updated without obtaining additional data from the server.

Nawaz neither teaches nor suggests Applicants' claimed dynamic layer. It is well established that, for a reference to anticipate a claimed invention, all elements of the claimed invention must be present in the reference. Applicants respectfully assert that based on the above, Nawaz does not teach or suggest all elements of Applicants' claimed invention, and Applicants respectfully request that the Examiner withdraw the rejection under 35 USC §102, and further submit that for the same reason Nawaz cannot form the basis of a proper rejection under 35 USC §103 .

Claims 43-61 depend from claim 42, and claims 63-81 depend from claim 62. As dependent claims, these claims incorporate all of the limitations of the claims from which they depend. Applicants respectfully assert that these dependent claims are, therefore, patentable for at least the reasons stated above with respect to the claims from which they depend, and Applicants respectfully request that the Examiner withdraw the rejection as to these claims as well.

In rejecting claims 43 and 63, the Office Action states that Nawaz teaches the dynamic content user interface of claim 42, and further teaches a new one of the plurality of entries in the summary display being automatically selected after a predetermined period of time. Applicants respectfully traverse. As described above, and assuming that the Examiner is equating the

claimed summary display with the Nawaz scrolling ticker (a point not conceded), Nawaz
discloses a <u>scrolling</u> ticker. (Column 8, lines 33-46). Nawaz does not teach or suggest selecting
an entry from this scrolling ticker after a predetermined time has elapsed, nor does Nawaz teach
or suggest the resulting display changes in the dynamic layer that would be necessitated thereby
as recited in Applicants' claim. Further, the arguments presented above in connection with claim
42 are equally applicable here, and reference to those arguments is incorporated herein.
Applicants therefore respectfully request that the Examiner withdraw this rejection based on
Nawaz.

In rejecting claims 45 and 65, the Office Action states that Nawaz teaches the dynamic
content user interface of claim 42, and further teaches the dynamic content user interface
iterating through the entries in the summary display area. Applicants respectfully traverse.
Nawaz discloses a ticker which scrolls a plurality of data items through a display area. (Column
8, lines 33-46). Nawaz does not teach or suggest iteratively selecting the entries in a summary
display area, nor does Nawaz teach or suggest the resulting display changes in the dynamic layer
that would be necessitated thereby, as recited in Applicants' claim. Further, the arguments
presented above in connection with claim 42 are equally applicable here, and reference to those
arguments is incorporated herein. Applicants therefore respectfully request that the Examiner
withdraw this rejection.

In rejecting claim 60, the Office Action states that Nawaz teaches the dynamic content
user interface of claim 42, and further teaches the interface comprising a visual cue, the visual
cue being associated with the currently selected entry in the plurality of entries. The Examiner
bases the rejection on Figure 10, items 164 and 162. Applicants respectfully traverse, and
request reconsideration of, the Examiner's reliance on Figure 10, as there is no description of
Figure 10, nor most of the contents thereof, in the specification. It is respectfully submitted that
the figure alone, with no detailed description, does not in any way provide sufficient disclosure
to teach or suggest the claimed features against which the reference is applied. Further, the
arguments presented above in connection with claim 42 are equally applicable here, and
reference to those arguments is incorporated herein. Applicants therefore respectfully request
that the Examiner withdraw this rejection.

Rejections under 35 U.S.C. §103

Claims 44 and 64 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nawaz in view of Seet, U.S. Patent Application Publication No. 2004/062760. Applicants respectfully traverse. The arguments presented above with respect to Nawaz are applicable here as well, and Seet does not provide the claim elements missing from Nawaz as set forth above. Accordingly, since all claim elements are not taught by the proposed combination, said combination cannot form the basis of a proper 35 USC §103 rejection, and withdrawal of same is respectfully requested.

Claims 47-59 and 67-79 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nawaz in view of Walker, U.S. Patent Application Publication No. 2002/0113812. Applicants respectfully traverse. The arguments presented above with respect to Nawaz are applicable here as well, and Walker does not provide the claim elements missing from Nawaz as set forth above. Accordingly, since all claim elements are not taught by the proposed combination, said combination cannot form the basis of a proper 35 USC §103 rejection, and withdrawal of same is respectfully requested.

RESPONSE
Examiner: WATT, Chris A.

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CONCLUSION

Having responded to all objections and rejections set forth in the outstanding Office Action, it is submitted that the currently pending claims are in condition for allowance and Notice to that effect is respectfully solicited. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, the Examiner is courteously requested to contact applicant's undersigned representative.

AUTHORIZATION

The Commissioner is authorized to charge any additional fees associated with this filing, and credit any overpayment, to Deposit Account No. 50-1561. If an extension of time is required, this should be considered a petition therefor. If the fees associated with a Request for Continued Examination are filed herewith, this should be considered a petition therefor.

Respectfully submitted,

/ James E. Goepel /

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